

IRW



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Naohide FUWA

Group Art Unit: 3747

Application No.: 10/665,018

Examiner: J. Kwon

Filed: September 22, 2003

Docket No.: 116564

For: CONTROL APPARATUS AND CONTROL METHOD FOR INTERNAL
COMBUSTION ENGINE

RESPONSE TO RESTRICTION REQUIREMENT

Director of the U.S. Patent and Trademark Office
Washington, D.C. 20231

Sir:

In reply to the Restriction Requirement mailed May 13, 2004, Applicant provisionally elects Group I, claims 1-3 and 11 drawn to a control apparatus for internal combustion engine. This election is made with traverse.

It is respectfully submitted that the subject matter of all groups is sufficiently related that a thorough search for the subject matter of the elected group would encompass a search for the subject matter of the remaining group. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which is stated that "If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions." (Emphasis added). It is respectfully submitted that this policy should apply in the present application to avoid unnecessary delay and expense to Applicant and duplicative examination by the U.S. Patent and Trademark Office.

In view of the foregoing, it is respectfully submitted that claims 1-12 can be examined without undue burden on the Examiner. Accordingly, it is respectfully requested that the Restriction Requirement be withdrawn.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Mario A. Costantino
Registration No. 33,565

JAO:MAC/sxb

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OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

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